

## Colden Planning Board Meeting

June 18, 2019

Planning Board  
Members Present: Frank Hrycik, Walt Kammer (Chairman), Linda Kotlarsz,  
Peter Newsom, George Reinhardt, Rich Sheldon and Bobby Walker

Also Present: Jim DePasquale (Town Supervisor), Jesse Hrycik (Councilman),  
John Kotlarsz (Bldg. Insp/Code - Enf. Officer), Tom Dziulko (Fire  
Inspector/Asst Code – Enf. Officer) Mr. Keith Van Lew, and  
2 Citizens

The June 18, 2019 Planning Board Meeting was called to order at 7:00 PM in the courtroom at the Colden Town Hall.

### May Minutes

The Board Members reviewed the May minutes and Bobby recommended changing a few errors. The Citizen Courtesy Consultation was updated to read: bed and breakfast. The flag lot case was updated to read: certain Planning Board actions. Rich motioned to approve the revised minutes and Peter seconded. Six out of seven Board Members were in favor. George abstained his vote because he was absent from the May meeting.

### Keith Van Lew Special Use Permit (SUP) by Planning Board and CEOs

Walt reviewed the procedure for Change of Use for zoning purposes with everyone present. Walt did acknowledge that the Environmental Board completed the SEQR on June 4, 2019 as a negative declaration. Walt asked Mr. Keith Van Lew to state his plans for his repair shop. Mr. Keith Van Lew reviewed his intentions with the Board Members for his repair facility located on his property. The garage will be used for basic mechanical services, minor collision repair, and reselling Southern and Western rust free vehicles. Walt asked Mr. Keith Van Lew to define minor collision repair. Mr. Keith Van Lew stated an example was a vehicle needing repair after hitting a deer. The Board Members reviewed their concerns regarding air pollutants, waste oil, waste fluids, waste water and noise. The Board Members reviewed potential options for removing, trapping, containing, and storing waste oil and waste fluids. Items such as a drain trap and an oil separator were discussed. Mr. Keith Van Lew stated that he's exempt because he's under the DEC requirements in terms of produced waste(s). Walt asked Mr. Keith Van Lew to request a signed written statement from his DEC contact stating that he is exempt and submit the statement to the Town of Colden before the next Planning Board meeting. Walt also requested that Mr. Keith Van Lew to give a 5-10 year plan and state if a junk yard will be established, because it requires a separate Special Use Permit (SUP) and must also meet all other conditions required by Colden Zoning and NYS law. Walt reviewed the Colden Zoning

requirements for parking spaces that are required. For each service bay three additional parking spaces are needed and required by Colden Chapter 108 Zoning. Also, for every two Employees one parking space is required. Walt asked for new drawings to be submitted to the CEO clearly showing parking spaces, all of which must be located in the Ag-zoning portion of his parcel, along with a statement explaining the use of the bays. Walt explained to Mr. Keith Van Lew that all the details are needed before the Planning Board will make a recommendation to the Town Board. Walt tabled the topic until the next Planning Board meeting on July 16, 2019.

A concerned Neighbor asked if the Planning Board would allow her to share her recent concerns. Walt acknowledged that the Planning Board did review the two page letter that was submitted by the citizen, and Walt, as the Chairman, doesn't allow privilege of the floor which is in accordance with NY guidelines for procedure and process at Advisory Planning Board meetings. None the less, after assertions by the citizen, Walt allowed two minutes and did advise that the proper venue for expression of such matter and concerns is later during the SUP process, in particular at the Town Board's Public Hearing on the potential SUP (subsequent to publication of the Planning Board's advisory recommendation) once the date and time of such public hearing is scheduled and advertised by the Town Board.

The matter of this SUP was subsequently tabled until more information is submitted by the applicant and the matter is placed on the Planning Board's agenda for a future meeting.

#### Annual SUP Inspections

The annual inspections were completed on June 1, 2019. The Dog Kennels were completed by the Town of Colden Dog Control Officer. Two Special Use Permits (SUP) were independently inspected by the CEO.

#### ECRT

Peter mentioned there are right away signs posted on certain streets (but not all) and roads for the ECRT parcels. The ECRT will continue advertising with an information booth during events held this Summer.

#### Bobby's Action Items

Bobby didn't have any topics to discuss.

#### Rich's Action Items

Rich would like to review houses that meet code but are downsized for affordability.

### General Update Regarding Spectrum Cable/Infrastructure Expansion for Colden

Walt mentioned that Phase One expansion should now be available to order services as desired by Colden citizens. All Phase One work in Colden is now complete, although some remaining infrastructure (which is located in Concord) and coordination with Verizon is still ongoing as stated on the Planning Board agenda. Walt will supply a memo regarding the available service to the Town Clerk.

### General Update on NYSEG LED Streetlight Conversion Action

Jim DePasquale was in attendance at the meeting and updated Walt when he stated that the work was being completed in the park and remaining NYSEG work (via their LED installation contractor) will be finished within a few days.

### Colden's Clean Energy Community Initiative Updates

Walt attended the 7<sup>th</sup> and 8<sup>th</sup> organizational meetings on May 31, 2019 and June 10, 2019 at Green Springville HQ. Green Springville elected the Contractor after receiving a presentation from two proposers. Walt mentioned that Patty Zurbrick will coordinate a lunch at the Colden Senior Center for Citizens to attend to learn more about the program and that the seminar and informational presentation by the vendor (Solar by CIR) will be presented at the Colden Fire Hall on 10 July 2019.

### Prior PB Agenda items B3, B4, B5, B6, B7, B12, B13, and B14

The topics are tabled by Walt until further notice.

### Flag Lot Cases, and do we need define flag lot viz-a-viz subdivision issues?

The topic was tabled.

### Zoning changes for 5G Cellular Equipment Installations

The topic was tabled.

### NYS Ag&Markets Law Regarding Actions with 500' of Parcel in Ag Overlay District

Walt is still waiting for feedback.

### New Town Business

Formal new Town business: Walt reported he didn't receive any topics as he checked with the Town Clerk prior to the Planning Board meeting.

Other Such Matters As May Come Before the Board

Nothing was discussed and no one approached the floor with concerns.

Rich motioned to adjourn the meeting at 8:35 PM, and Bobby seconded. All were in favor.

Submitted by: Crystal Barrett